

ENTERED

March 07, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

ROGELIO REGALADO,

Plaintiff,

VS.

CITY OF EDINBURG,

Defendant.

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CIVIL ACTION NO. 7:22-CV-228

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND GRANTING DISMISSAL OF PLAINTIFF'S COMPLAINT**

The Court has reviewed the magistrate judge's Report and Recommendation regarding Petitioner Rogelio Regalado's civil rights action pursuant to 42 U.S.C. § 1983. After having reviewed the said Report and Recommendation, and no objections having been filed by either party, the Court is of the opinion that the conclusions in said Report and Recommendation should be adopted by this Court.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the conclusions in United States Magistrate Judge Juan F. Alanis' Report and Recommendation entered as Docket Entry No. 43 are hereby adopted by this Court.

FURTHER, the Court, having adopted the magistrate judge's conclusions, is of the opinion that Defendant's Motion to Dismiss (Dkt. No. 25) is **GRANTED**, and therefore, Plaintiff's Requests to Amend his Amended Complaint (Dkt. Nos. 27, 31, 42), Request for Appointment of Counsel (Dkt. No. 26), Request for Class Certification and Request for Counsel (Dkt. No. 32), and Motion to Remand and/or Sever and Remand (Dkt. No. 35) are hereby **DENIED**.

FURTHER, that Defendant's first Motion to Dismiss (Dkt. No. 3) and Plaintiff's Motion Requesting Sanctions for Improper Removal (Dkt. No. 41) are hereby **DENIED** as moot.

FURTHER, that Plaintiff's Complaint (Dkt. No. 1-2) and Amended Complaint (Dkt. No. 22) are hereby **DISMISSED with prejudice**.

The Clerk shall send a copy of this Order to the Petitioner and counsel for Respondent.

SO ORDERED March 7, 2023, at McAllen, Texas.

A handwritten signature in black ink, reading "Randy Crane", written over a horizontal line.

Randy Crane

Chief United States District Judge